Message

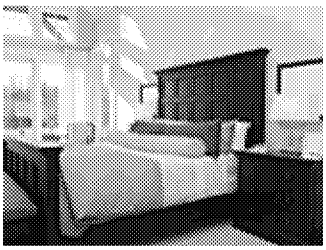
From: Faeth, Lisa [Faeth.Lisa@epa.gov]
Sent: 10/6/2017 3:19:59 PM
To: Anderson, Steve [Anderson.Steve@epa.gov]; Askinazi, Valerie [Askinazi.Valerie@epa.gov]; Barkas, Jessica [barkas.jessica@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Blair, Susanna [Blair.Susanna@epa.gov]; Blunck, Christopher [Blunck.Chris@epa.gov]; Brown, Sam [Brown.Sam@epa.gov]; Buster, Pamela [Buster.Pamela@epa.gov]; Canavan, Sheila [Canavan.Sheila@epa.gov]; Caraballo, Mario [Caraballo.Mario@epa.gov]; Carroll, Megan [Carroll.Megan@epa.gov]; Cherepy, Andrea [Cherepy.Andrea@epa.gov]; Christian, Myrta [Christian.Myrta@epa.gov]; Cleland-Hamnett, Wendy [Cleland-Hamnett.Wendy@epa.gov]; Corado, Ana [Corado.Ana@epa.gov]; Davies, Clive [Davies.Clive@epa.gov]; DeDora, Caroline [DeDora.Caroline@epa.gov]; Devito, Steve [Devito.Steve@epa.gov]; Dix, David [Dix.David@epa.gov]; Doa, Maria [Doa.Maria@epa.gov]; Drewes, Scott [Drewes.Scott@epa.gov]; Dunton, Cheryl [Dunton.Cheryl@epa.gov]; Ebzery, Joan [Ebzery.Joan@epa.gov]; Edelstein, Rebecca [Edelstein.Rebecca@epa.gov]; Edmonds, Marc [Edmonds.Marc@epa.gov]; Eglsaer, Kristie [Eglsaer.Kristie@epa.gov]; Farquharson, Chenise [Farquharson.Chenise@epa.gov]; Fehrenbacher, Cathy [Fehrenbacher.Cathy@epa.gov]; Feustel, Ingrid [feustel.ingrid@epa.gov]; Frank, Donald [Frank.Donald@epa.gov]; Gibson, Hugh [Gibson.Hugh@epa.gov]; Gimlin, Peter [Gimlin.Peter@epa.gov]; Gorder, Chris [Gorder.Chris@epa.gov]; Gordon, Brittney [Gordon.Brittney@epa.gov]; Grant, Brian [Grant.Brian@epa.gov]; Gray, Shawna [Gray.Shawna@epa.gov]; Guthrie, Christina [Guthrie.Christina@epa.gov]; Henry, Tala [Henry.Tala@epa.gov]; Kapust, Edna [Kapust.Edna@epa.gov]; Kemme, Sara [kemme.sara@epa.gov]; Koch, Erin [Koch.Erin@epa.gov]; Krasnic, Toni [krasnic.toni@epa.gov]; Lavoie, Emma [Lavoie.Emma@epa.gov]; Leczynski, Barbara [leczynski.barbara@epa.gov]; Lee, Mari [Lee.Mari@epa.gov]; Leopard, Matthew [Leopard.Matthew@epa.gov]; Liva, Aakruti [Liva.Aakruti@epa.gov]; Lobar, Bryan [Lobar.Bryan@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Menasche, Claudia [Menasche.Claudia@epa.gov]; Moose, Lindsay [Moose.Lindsay@epa.gov]; Morris, Jeff [Morris.Jeff@epa.gov]; Moss, Kenneth [Moss.Kenneth@epa.gov]; Mottley, Tanya [Mottley.Tanya@epa.gov]; Moyer, Adam [moyer.adam@epa.gov]; Myers, Irina [Myers.Irina@epa.gov]; Myrick, Pamela [Myrick.Pamela@epa.gov]; Nazef, Laura [Nazef.Laura@epa.gov]; Owen, Elise [Owen.Elise@epa.gov]; Parsons, Doug [Parsons.Douglas@epa.gov]; Passe, Loraine [Passe.Loraine@epa.gov]; Pierce, Alison [Pierce.Alison@epa.gov]; Pratt, Johnk [Pratt.Johnk@epa.gov]; Price, Michelle [Price.Michelle@epa.gov]; Reese, Recie [Reese.Recie@epa.gov]; Reisman, Larry [Reisman.Larry@epa.gov]; Rice, Cody [Rice.Cody@epa.gov]; Richardson, Vickie [Richardson.Vickie@epa.gov]; Ross, Philip [Ross.Philip@epa.gov]; Sadowsky, Don [Sadowsky.Don@epa.gov]; Santacroce, Jeffrey [Santacroce.Jeffrey@epa.gov]; Saxton, Dion [Saxton.Dion@epa.gov]; Scarano, Louis [Scarano.Louis@epa.gov]; Scheifele, Hans [Scheifele.Hans@epa.gov]; Schmit, Ryan [schmit.ryan@epa.gov]; Schweer, Greg [Schweer.Greg@epa.gov]; Selby-Mohamadu, Yvette [Selby-Mohamadu.Yvette@epa.gov]; Seltzer, Mark [Seltzer.Mark@epa.gov]; Shafer, Jonathan [shafer.jonathan@epa.gov]; Sheehan, Eileen [Sheehan.Eileen@epa.gov]; Sherlock, Scott [Sherlock.Scott@epa.gov]; Simons, Andrew [Simons.Andrew@epa.gov]; Sirmons, Chandler [Sirmons.Chandler@epa.gov]; Slotnick, Sue [Slotnick.Sue@epa.gov]; Smith, David G. [Smith.DavidG@epa.gov]; Stedeford, Todd [Stedeford.Todd@epa.gov]; Strauss, Linda [Strauss.Linda@epa.gov]; Symmes, Brian [Symmes.Brian@epa.gov]; Thompson, Tony [Thompson.Tony@epa.gov]; Tierney, Meghan [Tierney.Meghan@epa.gov]; Tillman, Thomas [Tillman.Thomas@epa.gov]; Tomassoni, Guy [Tomassoni.Guy@epa.gov]; Tran, Chi [Tran.Chi@epa.gov]; Vendinello, Lynn [Vendinello.Lynn@epa.gov]; Wallace, Ryan [Wallace.Ryan@epa.gov]; Wheeler, Cindy [Wheeler.Cindy@epa.gov]; Widawsky, David [Widawsky.David@epa.gov]; Williams, Aresia [Williams.Aresia@epa.gov]; Williams, Bridget [Williams.Bridget@epa.gov]; Williamson, Tracy [Williamson.Tracy@epa.gov]; Wills, Jennifer [Wills.Jennifer@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Wolf, Joel [Wolf.Joel@epa.gov]; Wright, Tracy [Wright.Tracy@epa.gov]; Yowell, John [yowell.john@epa.gov]
Subject: News Articles (For EPA Distribution Only)

BNA DAILY ENVIRONMENT REPORT ARTICLES

Trump Taps Former Inhofe Staffer For EPA's No. 2 Slot

Another former member of Oklahoma Sen. James Inhofe's (R-Okla.) team could soon be joining the EPA's leadership.

Rhode Island Joins States to Ban Flame Retardants in Furniture



Furniture suppliers have two years to stop delivering products to Rhode Island that contain flame retardants banned by a new state law.

20 Chemicals Added to Washington Kids' List Reporting

Manufacturers of children's products sold in Washington state will have to report the presence of 20 more compounds, many of them flame retardants linked to cancer that are used in furniture, baby carriers and car seats.

INSIDEEPA.COM ARTICLES

EPA's FY18-22 Plan Backs State Regulators' Push For Greater Autonomy

EPA's strategic plan outlining its top priorities for fiscal years 2018 to 2022 strongly backs state regulators' call to give them greater autonomy in implementing federal environmental laws, with the agency vowing to develop a new joint governance model recognizing states' programs and assessing EPA programs for potential future delegation.

Filling Key Slot, Trump Taps Andrew Wheeler As EPA Deputy Administrator

After months of speculation, the White House formally nominated Andrew Wheeler, the former Senate environment committee staff director, to be EPA's next deputy administrator, filling a key slot at the agency that has remained open for months.

GREENWIRE ARTICLES

EPA Rogue Twitter account taking a break

Kevin Bogardus, E&E News reporter

Published: Thursday, October 5, 2017

A popular social media account identified as part of the resistance to the Trump administration suggested yesterday it may go quiet.

@RogueEPAstaff posted a series of messages yesterday afternoon saying it might be time to hang up its tweeting spurs. The Twitter account's bio says "EPA staff and friends who support science-based policy" and identifies itself as a parody.

"We started this account to be sure the public knew what was happening at EPA. Now, the world sees," said one tweet from the account.

"We've done great things together as a community that cares about celebrating, protecting and furthering EPA's mission," it followed.

@RogueEPAstaff, one of several Twitter accounts identifying with the resistance to the Trump administration, suggested yesterday it may take a break. @RogueEPAstaff/Twitter

"It may be time to take a step back and let others carry the torch for a while. Those of us at the helm, here, are tired," said the account. "Maybe it's time to join the alt pantry. Is there room for some #AltBeets?"

Since those tweets yesterday, the account posted a couple of retweets but has written no original tweets of its own.

A direct message from E&E News asking the account's managers to elaborate on their plans for the rogue Twitter feed was not answered.

Launched in February, the account, quick to highlight stories critical of President Trump and EPA Administrator Scott Pruitt, has sent out nearly 6,000 tweets and has amassed roughly 14,600 followers. It is one of several Twitter feeds purportedly run by career employees in federal agencies unhappy with the Trump administration's agenda.

Official government social media has proved more troublesome for President Trump, at least in the early days of his administration.

The official National Park Service Twitter account retweeted images that showed crowds at Trump's inauguration were smaller than those at the 2009 inauguration for his predecessor, President Obama. That angered Trump, leading the White House to request photos of his inaugural crowds to rebut critics (*Greenwire*, March 23).

In addition, a former Badlands National Park seasonal employee triggered another social media headache for the agency. The individual confessed to sending out unauthorized tweets on climate change just days into the Trump administration (*Greenwire*, April 17).

Agency releases plan to 'rebalance' operations

Sean Reilly, E&E News reporter

Published: Thursday, October 5, 2017

U.S. EPA is seeking public feedback on its draft of a new strategic plan that outlines a dramatic shift in priorities under the Trump administration.

In a *Federal Register* notice today, EPA officials set an Oct. 31 deadline for comments on the proposal, described as "a management tool to guide the agency's path forward" from fiscal 2018 through 2022.

In contrast to the existing plan, put in place under the Obama administration, the draft scraps all references to climate change and highlights EPA Administrator Scott Pruitt's desire to "rebalance" power between the federal government and the states, among other proposed changes (*E&E News PM*, Oct. 4).

"It captures the key areas I will emphasize as EPA administrator to transform the way the agency does business," Pruitt wrote yesterday in an email to employees. "I believe this draft plan provides the foundation for a more efficient and effective agency, enabling us to accelerate progress and deliver real, tangible results for the American people."

The plan also includes priority goals for 2018-19 "by which EPA will hold itself accountable to monitor progress in improving significantly" the way it does business and engages with other government agencies and the private sector, according to today's *Federal Register* notice.

The plan is required under a 2011 law known as the Government Performance and Results Modernization Act; EPA expects to send the final version to Congress in February in conjunction with the agency's fiscal 2019 budget request.

CHEMICAL WATCH ARTICLES

Downstream users express concern at TSCA inventory requirements

US EPA expects to finalise active/inactive inventory by December 2018

4 October 2017 / New TSCA/LCSA, United States

Participants in a US EPA webinar on the chemical substance inventory reset required under TSCA, have expressed alarm at the prospect of being caught between federal rules and uncooperative suppliers.

"This rule is going to require suppliers and purchasers to work together at an unprecedented level, lest chemicals become inactive," one participant typed during a presentation by Tracy Williamson, chief of the industrial chemical branch in the EPA's Office of Pollution Prevention and Toxics.

Ms Williamson walked participants through an online submission but did not answer many questions as the webinar went over the allotted time. Some questions typed by participants are answered by the TSCA statute and regulations, but many concerned what downstream users should do if they don't receive enough information from suppliers.

"If you imported a chemical and the supplier does not answer the joint submission request, "what do you have to do to continue using the chemical?" one participant asked.

"Can you offer guidance on what a manufacturer should do if a supplier will not release constituent information of a mixture?" asked another.

Several of those taking part were dismayed to learn that substances they do not have to report under chemical data reporting (CDR) requirements because they qualify for a low volume exemption, will still have to be reported to the TSCA inventory.

"If we are operating mostly under low volume exceptions (LVEs), and are not aware whether the chemicals are on the inventory, are we required to search for our LVE materials on there?" one attendee asked. "This is Herculean in scope."

Timeline

Ms Williamson said the EPA expects to finalise its reset TSCA inventory by December 2018.

The inventory notification rule requires manufacturers and importers to report by 7 February 2018 all substances covered that they have used in the ten-year 'lookback period' ending 21 June 2016. The EPA will publish a draft inventory "one to two months" later, she said.

"It's going to depend on how many submissions come in close to that 7 February deadline for manufacturers."

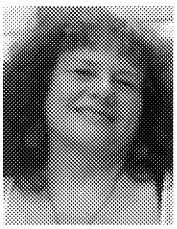
Processors (downstream users) have until 5 October 2018. They are not required to report but must do so to avoid having a chemical labelled 'inactive'. They can look at the draft inventory before making the decision, Ms Williamson said.

She said the EPA will publish a final inventory within two months of the October deadline.

"We don't expect to get as many additional chemicals reported during the second phase for processors," Ms Williamson said.

She noted that the final inventory reset rule added a transitional period, so that a substance that has not been reported as active will not be declared 'inactive' until 90 days after the EPA publishes its final inventory. This will allow companies to correct an oversight without having to stop using the substance.

This should also help companies that decide in the autumn of 2018 that they want to reintroduce into commerce a chemical that hadn't been reported, Ms Williamson said.



Julie A Miller

North American Desk Editor

Related Articles

- Final TSCA inventory notification rule eases reporting burden

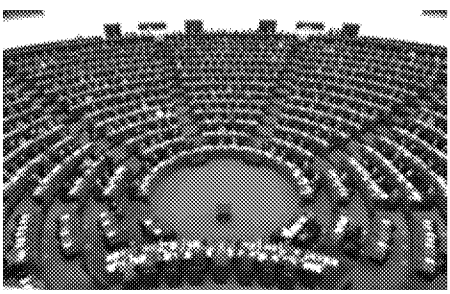
Further Information:

- Inventory notification rule

European Parliament rejects EDC criteria

Commission sent back to drawing board

4 October 2017 / Biocides, EDCs, Europe



The European Parliament has vetoed the European Commission's proposal for criteria to identify endocrine disrupting chemicals (EDCs) in biocides and pesticides, asking it to come up with a new proposal "without delay".

MEPs approved the objection to the draft criteria that was put forward last month by two MEPs, Jytte Guteland and Bas Eickhout, by 389 votes to 235. There were 70 abstentions.

Agreeing with Ms Guteland and Mr Eickhout's objection, MEPs say the Commission exceeded its mandate by proposing to exempt some substances, designed to attack an organism's endocrine system, from the criteria, even when they cause harm to non-target organisms of the same group of species.

This, they say, was unlawful because it would change an essential element of the plant protection products (PPP) legislation. The regulation specifically calls not to approve substances that have endocrine disrupting properties on other species than the ones targeted.

The European Commission will have to draft a new version of the text, taking into account Parliament's input. It will be expected to remove the paragraph of the draft criteria proposal that introduced the exemption

The European Commission will have to draft a new version of the text, taking into account Parliament's input. It will be expected to remove the paragraph of the draft criteria proposal that introduced the exemption.

Commissioner Vytenis Andriukaitis said he regrets the vote and "strongly believes that in this case no deal is a bad deal for EU citizens".

"The Parliament decided to stop the adoption of scientific criteria, which would have ensured better protection of human health and the environment as well as served as a stepping stone to a wider strategy on endocrine disruptors," he said in a statement, adding that the Commission will need to reflect on next steps to take.

Reactions

Both NGOs and industry representatives had fiercely criticised the Commission's proposal. Reaction to the parliamentary veto has been positive.

The Center for International Environmental Law (Ciel) applauded MEPs for "refusing to be complicit in the Commission's attempt to break the law" and standing up "in defiance of a powerful pesticide industry lobby".

"Hopefully, the Commission will finally get the message and present legally sound scientific criteria to identify EDCs," said Giulia Carlini, Ciel staff attorney.

"It is also an opportunity for the Commission to present criteria applicable across sectors of EU law, such as cosmetics, toys and food contact materials, as mandated in the 7th Environment Action Programme."

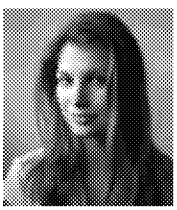
The European Crop Protection Association (Ecpa), which has opposed the criteria since the outset, says they would have been "unworkable, impractical and would have impacted negatively on the competitiveness of European farming".

The veto means, however, that the interim criteria for EDCs will remain in place indefinitely: an undesirable solution, the association says.

The Health and Environment Alliance (HEAL) called the veto "a huge opportunity to get the criteria right in order to (...) protect future generations from the long-term effects of endocrine disruptors."

Angeliki Lysimachou of PAN Europe congratulated "all MEPs that have opposed to Commission's attempt to bend the rules and voted to object the controversial ED criteria proposal that would only prevent removing potentially harmful pesticides from the market".

And ClientEarth lawyer Dr Apolline Roger said the vote had sent a strong signal to the Commission. The European Parliament, she said, had "rightly acted as the guardian of the rule of law and democracy".



Vanessa Zainzinger

Biocides editor

Related Articles

- European Parliament committee blocks EDC criteria

Further Information:

- Parliament press release
- CIEL press release
- Proposed objection
- European Commission statement

Belgium mulls 'total ban' on microplastics in consumer products

Voluntary ban will initially apply to cosmetics and toothpaste

4 October 2017 / Alternatives assessment & substitution, Belgium, Microplastics, Personal care

Belgium has notified the European Commission of a draft plan to voluntarily phase out microplastics in all consumer products by 2019.

The Belgian "sectoral ban" will initially apply to cosmetic products and toothpaste, and, in later stages, to cleaning and maintenance products, adhesives and mastics, according to a notification submitted on 2 October.

The country aims to have a "total ban" in place by 2019 of microplastics in all disposable cosmetic products and toothpastes.

The draft plan was agreed between the Federal Ministry for Energy, Environment and Sustainable Development and representatives of DETIC, the Belgian-Luxembourg trade body comprising cosmetics, detergents, maintenance products, adhesives and mastics, aerosols and biocides industries.

The deliberate addition of microplastics into disposable consumer products must be "significantly reduced", the notification says. To this end, parties will be obliged to follow the scientific and technological evolutions in this area and to "take the necessary measures in case of new proven problems".

The agreement also calls the signatories to actively communicate to the companies, to encourage them to replace microplastics with alternative ingredients.

An official from the Belgian ministry said it was decided as a voluntary agreement, not a regulatory one, because "the procedure is faster" this way.
It is an evolving framework and will be implemented in stages, starting sometime in 2018, the official said. It will be followed by periodic inspections "to monitor if the objectives are followed".

Global initiatives

Countries around the world are taking action against microplastics. In the EU, France has decided to prohibit rinse-off cosmetics containing microplastics from January 2018 while Sweden has proposed such a ban too.

The UK government has published a draft law that will ban the manufacture of rinse-off cosmetics containing microplastics by the end of the year. It shied away from broadening the scope to other products, despite calls from stakeholders. But the environment ministry, Defra, is assessing the case for more categories to be included at a later stage.

There is no Europe-wide ban at present, but Commission has opened a public consultation on policy options, with a deadline for comments of 16 October. It will publish a report at the end of the year, setting out conclusions and also recommendations from a study commissioned by DG Environment.

Related Articles

- France to ban microplastics in some cosmetics products
- Sweden proposes ban on microbeads in rinse-off cosmetics
- UK government reveals draft law on microbeads ban
- European Commission opens public consultation on marine microplastics

Further Information:

- Notification

US EPA finalises Snur on carbon nanotubes

4 October 2017 / TSCA, United States

The US EPA has finalised a significant new use rule (Snur) for a carbon nanotube substance that was the subject of a pre-manufacture notice.

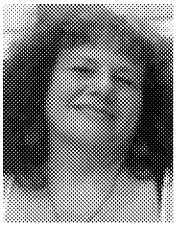
The substance – bimodal mixture consisting of multi-walled carbon nanotubes and other classes of carbon nanotubes (generic) – is intended to be used as a speciality additive, according to its PMN.

The EPA identified concerns for pulmonary toxicity and oncogenicity and imposed a consent order detailing protective requirements.

To apply these to future users of the substance, the agency issued a proposed Snur as a direct final rule in November 2016. This designated as significant new uses the absence of the protective measures.

The proposal was withdrawn when a commenter noted a discrepancy between the direct final Snur and the consent order. The agency resolved this in the current version, first published in June.

The agency received no comments by the 10 July deadline and published the Snur as final on 3 October. It will be effective from 2 November.



Julie A Miller

North American Desk Editor

Related Articles

- US EPA proposes Snur for carbon nanotube substance
- US EPA issues Snurs for 57 chemicals
- EPA withdraws two Snurs
- US EPA proposes Snur for carbon nanotube substance

Further Information:

- Federal Register notice

Industry group urges manufacturers to ignore CPSC flame retardants warning

Nafra says guidance could jeopardise safety

5 October 2017 / Built environment, Children's products, Electrical & electronics, Halocarbons, United States

The North American Flame Retardant Alliance (Nafra) said a Consumer Product Safety Commission (CPSC) warning urging manufacturers and consumers to avoid household products containing organohalogen flame retardants is 'misguided' and could jeopardise fire safety.

Nafra's statement encourages industry to ignore the CPSC guidance, published 28 September. That was released after the Commission's historic 3-2 vote a week earlier to move towards a ban on the whole organohalogen flame retardant category of chemicals. The ban would affect:

- children's products;
- upholstered residential furniture;
- mattresses; and

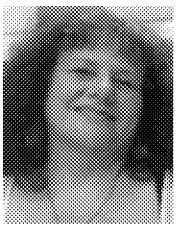
- the external casings of electronics devices.

"Fortunately, the guidance CPSC has issued is non-binding," said Nafra, which is a constituent group of the American Chemistry Council.

The organisation says it will communicate with affected manufacturing sectors and businesses to point out that the CPSC's actions "merely constitute a recommendation". The guidance, it says, needs to be evaluated based on the state of the science and the need to fully consider all aspects of product safety, including fire safety.

"The value chain should feel confident that they can continue to use these chemistries in certain applications consistent with existing national and international regulations while CPSC conducts its further analysis of these substances," Nafra said.

The party-line vote on organohalogen flame retardants was pushed through in the waning days of a Democratic majority on the Commission. It granted a petition by NGOs to initiate rulemaking under the Federal Hazardous Substances Act (FHSA) and directed staff to convene a Chronic Hazard Advisory Panel, to further study the effects of the substances as a class of chemicals on consumers' health.



Julie A Miller

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Related Articles

- CPSC warns manufacturers, consumers about flame retardants
- US CPSC moves to ban organohalogen flame retardants

Further Information:

- Nafra statement
- CPSC guidance

Rhode Island bans sale of organohalogen flame-retardant treated furniture

Proposal became law without Governor approval

5 October 2017 / Halocarbons, United States

The state of Rhode Island has banned the sale of bedding and furniture treated with organohalogen flame retardants under a law that goes into effect 1 July 2019.

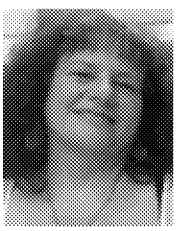
The proposal became law on 4 October without the approval of Governor Gina Raimondo (Democrat) who chose not to sign or veto it.

In August, the Maine legislature gave final approval to a measure banning the use of all chemical flame retardants in upholstered furniture, overriding the veto of Republican Governor Paul LePage. That law takes effect on 1 January 2019.

More than a dozen US states have banned some categories of flame retardants. Many more considered legislation this year to restrict their use.

Washington state's Toxic-Free Kids and Families Act, which restricts the use of five flame retardants in children's products and residential upholstered furniture, went into effect on 1 July.

On a national level, the Consumer Product Safety Commission (CPSC) voted on 21 September to ban the use of organohalogen flame retardants in furniture and several other household product categories.



Julie A Miller

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Related Articles

- Maine bans all flame retardants in upholstered furniture
- US state legislatures look to fill TSCA gaps
- Washington governor signs flame retardant ban into law
- US CPSC moves to ban organohalogen flame retardants

Canada proposes removing 83 substances from NDSL due to potential risk

Substances would be subject to increased reporting requirements

5 October 2017 / Canada, Environmental Protection Act, Substance notification & inventories

Canada proposed deleting 83 substances from its Non-Domestic Substances List (NDSL) because of findings that they could pose health or environmental risks.

The NDSL is an inventory of substances not on the Domestic Substances List (DSL) of chemicals in active commerce in Canada, but are in commercial use internationally. Substances on the DSL do not require notification unless they are subject to a significant new activity (Snac) notice. Substances on the NDSL are subject to new substance notification, but with lesser requirements than for other new chemicals.

Up until now the NDSL has been updated twice a year to add substances listed:

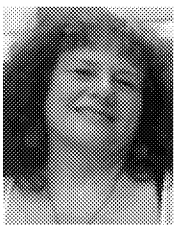
- on the US Chemical Substances Inventory and not subject to risk management in the US or Canada; or
- as "of concern" under the Stockholm Convention on Persistent Organic Pollutants; or
- on the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

Environment and Climate Change Canada reviewed substances on the NDSL and found that 83 should be removed "based on risk management measures taken in Canada, regulatory flags on the TSCA Chemical Substances Inventory or concerns raised under the Stockholm or Rotterdam conventions".

The agency plans to undertake this review annually.

The proposals were published in a notice in the *Canada Gazette* on 23 September. The government will accept comments, including notice that a substance is currently on the Canadian marketplace, until 10 November.

"Comments will be taken into consideration during the development of the final Order and identified stakeholders with current business interests in these chemicals (that is to say current importers or manufacturers) will be engaged to facilitate a transition to the new reporting requirements," the notice said.



Julie A Miller

North American Desk Editor

Further Information:

- Canada Gazette notice

Echa proposes free SME access to REACH registration data

Directors Contact Group could discuss issue this month

5 October 2017 / Data, Europe, REACH, Substance registration

Echa proposes to grant small and medium sized businesses conditional free access to REACH data and joint submissions to reduce the burden of data sharing negotiations for the 2018 registration deadline.

In a recent paper seen by Chemical Watch, the agency calls for the REACH Directors' Contact Group (DCG) to endorse the proposal at its meeting later this month.

The DCG is an informal group of directors from the European Commission, Echa and industry associations. It was set up to respond to issues of concerns arising from companies' REACH registration obligations.

Following the DCG endorsement, the paper says, all parties should then "promote this voluntary approach and spread existing information on negotiations and dispute procedure among existing or future registrants that may be interacting or about to interact with SMEs in the context of their Siefs [substance information exchange fora]".

In the paper, the agency says industry could make a "major contribution" if the letter of access for the data and the token to join the joint submission would be made available for SMEs for free "in certain cases".

This could be done when a registration already exists and data is submitted to Echa, the paper says. This approach would avoid any negotiation between parties and save costs. Free access would "reduce uncertainty on the decision to register for SMEs", the paper adds.

It does however say the following conditions could be imposed:

- the new registrant presents a self-declaration that it complies with the definition of an SME;
- the SME agrees with the classification in the lead dossier and the safety data sheet, and therefore to implement and communicate the corresponding risk management measures;
- the SME would need to agree to waive its right to request a detailed cost itemisation and a reimbursement scheme;
- it should be in a position to confirm that it has the same substance and that it does not possess any additional information relevant for the registration dossier; and
- the access to free data only applies to existing data for the 2018 deadline, and is without prejudice to sharing costs for new data, for example after substance evaluation.

The paper adds that it is important to ensure SMEs have "easy access" to all available support material and, if necessary, to the dispute mechanism. "In order to achieve that, all parties should engage in as many channels as possible to disseminate information on data and cost sharing." Existing registrants and their consortia or associations could play a role in informing the SME wanting access on the available information, it says.

SME study

Echa's proposals are based on suggestions from a commissioned study, conducted by consulting firm RPA, on SMEs and the REACH 2018 deadline. It says that the key issue for many SMEs is the cost of registration and, in particular, the cost of the letters of access and participating in Siefs.

The UK's Chemical Business Association (CBA) and the European Association of Chemical Distributors (Fecc) raised the idea of free access at a joint DG Environment, DG Enterprise and Industry, and Echa conference in December 2013 on SMEs and the 2018 deadline.

This month the CBA wrote to the UK environment ministry to "strongly urge" it to support the proposal at the next meeting of the competent authorities for REACH and CLP (Caracal) in mid-November.

In September last year, Cefic said that in the run up to the 2018 REACH registration deadline, clear and comprehensive guidance on data sharing can be "critical" for legal clarity. A year ago, the heads of Echa and European SME trade body Ueapme met to discuss how to help members meet the 2018 REACH registration deadline.

Luke Buxton

Europe desk editor

Related Articles

- Data-sharing guidance 'critical' to avoid legal uncertainties, Cefic says
- Echa and Ueapme heads discuss 2018 deadline help for SMEs

Further Information:

- Echa DCG paper
- Echa press release
- SME study
- CBA letter to Defra

EU Parliament and Council of Ministers adopt RoHS changes

5 October 2017 / Electrical & electronics, Europe, RoHS

The European Parliament and the Council of Ministers have formally adopted proposed amendments to the RoHS Directive, which restricts the use of certain hazardous substances in electrical and electronic equipment (EEE).

The revision will permit secondary market operations, such as reselling of EEE and spare parts, beyond a 2019 deadline.

In a plenary vote on Tuesday, the Parliament approved the outcome of inter-institutional negotiations with the Council by 645 votes to 28. No changes were made to the final text. The Directive will enter into force 20 days after its publication in the *Official Journal of the European Union*.

The current RoHS Directive states that both the first placing on the market and secondary market operations of non-compliant EEE will be prohibited after 22 July 2019. But the European Commission proposed the amendments to allow the resale "at any time" and help promote a circular economy.

"The updated RoHS increases legal certainty, solves pressing issues for SMEs while preserving the environment and public health," said Adina-Ioana Vălean, chair of the European Parliament's Environment Committee (Envi).

The Commission will now have to give to applicants, member states and the Parliament a timeline for adopting of its decisions on exemptions from substance restrictions in electrical and electronic equipment, Ms Vălean said. A general review of the Directive will take place in July 2021.

In July, members of the Envi backed the amendments.

Meanwhile last month, the Commission asked for feedback on draft proposals to exempt lead from eight uses under the RoHS Directive. The deadline for comments is 17 October.

Related Articles

- EU Council of ministers, Parliament agree on proposed RoHS exemptions
- EU calls for comments on proposed RoHS lead exemptions

South Korea priority existing chemicals registration update

5 October 2017 / K-REACH, Priority substances, South Korea, Substance registration

South Korea's June 2018 deadline for the registration of priority existing chemicals (Pecs) under K-REACH is rapidly approaching.

Chemical Watch recently wrote that South Korean Pecs registration is better than it appears. In this infographic we present more details about the registration process and how it is progressing.

It is based on data presented by Junho Lee of ReachCentrum Asia/ERM when he was speaking at the recent Asia Hub Summit 2017.

K-REACH PROGRESS IN

Priority Existing Chemicals

SEPTEMBER 2015 IMPLEMENTATION UPDATE

NUMBER OF PECS TO REGISTER

370

It was 510, but 140 now need no registration as: 92 are under 1 tonne; 18 other regulations; 26 ceased manufacture or import; 4 exempt;

NUMBER OF DATA CONSORTIA

370

COMPANIES IN CONSORTIA

1,374

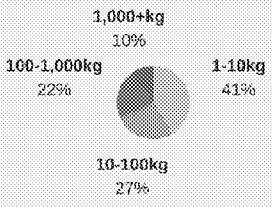
That's an average of 3.7 companies per consortia, but our analysis only 20% are SMEs

NUMBER OF SIEF MEMBERS

4,367

4.5 times more companies are members of Substance Information Exchange Forums than members of consortia. 31% of these are SMEs.

TOTAL TONNAGES OF 370 CONSORTIA

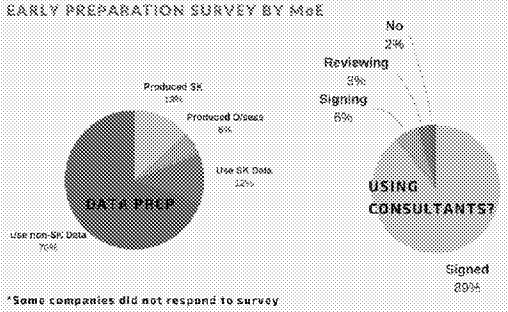


LEAD REGISTRANTS

323

47 of the consortia have no lead registrant. The ministry of the environment is expected to step in.

EARLY PREPARATION SURVEY BY MoE



*Some companies did not respond to survey

SUBMITTED REGISTRATIONS

17

COMPLETED REGISTRATIONS

8

As more registrations are completed the PEC registration process will be a useful source of information for future K-REACH registration. For these registrations the data may or less than expected but this may not be representative.

Data source: Presentation by Junho Lee of ReachCentrum Asia/ERM speaking at Asia Hub Summit 2015

Sunny Lee

Asia editor

Related Articles

- South Korea Pecs registration better than it appears

Australia's Nicnas consults on draft notification for cosmetic ingredient

5 October 2017 / Personal care

Australia's National Industrial Chemicals Notification and Assessment Scheme (Nicnas) is consulting on a draft secondary notification assessment report on a-D-Glucopyranoside,ß-D-fructofuranosyl, octadecanoate.

The unknown or variable composition, complex reaction products or of biological materials substance (UVCB) was originally notified to and assessed by Nicnas in 2010 as an ingredient of imported, finished ink cartridges. As a result the notified chemical is now listed on the Australian Inventory of Chemical Substances (AICS)

However, this secondary notification assessment reassesses the risk posed to the public, workers and the environment based upon information concerning an intended new use of the chemical:

- in cosmetics;
- the reformulation of the imported chemical into cosmetic products in Australia;
- the availability of new data on the human health hazards of the notified chemical; and
- a proposed significantly increased introduction volume of the notified chemical to that previously assessed.

The public comment period closes on 31 October.

Further Information:

- Nicnas consultations

EU Parliament issues briefing on chemicals and the circular economy

5 October 2017 / Alternatives assessment & substitution, Europe, Substances of concern, Sustainable chemistry

The European Parliament has issued a briefing document on chemicals – particularly those of concern – in the "circular economy".

The briefing document comes ahead of the European Commission's communication on the interface between these policy areas, which is expected to be published by the end of the year. The circular economy is an economic model based on sharing, leasing, reuse, repair, refurbishment and recycling.

The main challenge, the Parliament said, is increasing recycling and reuse, while making sure consumers are not at risk from exposure to substances of concern that may be present in products and passed on to waste.

Accord to the document, possible solutions include:

- disseminating information on the presence of substances of concern in products;
- reducing and substituting them; and
- improving the management of those that cannot be substituted.

Increased policy coherence could also help, it says. There are a large number of relevant EU laws across three broad areas of chemicals, waste and products.

While the Parliament supports the development of non-toxic material cycles as a reliable source of raw materials, it notes that stakeholders' views are mixed.

Related Articles

- NGOs call for product information system for 'clean' circular economy
- Chemicals in articles under spotlight in EU non-toxic strategy

Further Information:

- Briefing document

FCM assessments should include gut health, says foundation

5 October 2017 / Exposure monitoring & measurement, Food & drink

Gut health should be factored into food contact material toxicity assessments, according to Swiss science foundation the Food Packaging Forum.

An increasing number of environmental chemicals have been reported to change gut microbiota composition and function, wrote the forum's Ksenia Groh and colleagues in a review article published in the journal *Food and Chemical Toxicology*.

According to the article, some gut microoganisms can metabolise manmade chemicals introduced in the diet to detoxify them or, in some cases, create potentially toxic transformation products.

There is "mounting evidence" that various chemicals, including some food additives and contaminants, may increase intestinal permeability and/or interfere with gut microbiota. Increased intestinal permeability could lead to higher uptake of compounds of both low and high molecular weight, they add.

For example, some chemicals, such as surfactants, can increase the transport of molecules across the gut wall. These "permation enhancers" can lead to a higher uptake of low molecular weight compounds.

They also point to possible mixture effects, for example when surfactants added deliberately to food combine with those migrating from food contact materials.

The researchers called in particular for further research to understand the effects of high molecular weight compounds in the gut. These may be toxicologically relevant because of increased uptake and potential immune system effects, they said.

Further Information:

- Journal article (open access)

Echa round-up

5 October 2017 / Europe, Substances of concern

Echa previews new website

Echa has published a preview of its upcoming new website, which will go live later this month.

Some of the content has been restructured to make it easier to find, the agency says, and it has also used colour-coding for different regulations. The search features allow users to look for similar content directly from the page they are visiting.

The changes are a result of suggestions from feedback on customer needs.

New substance evaluation conclusions published

The agency has published nine new substance evaluation conclusion documents. The substances are:

- bisphenol A;
- cyclohexanone;
- alcohols, C7-9-iso-, C8-rich;
- reaction mass of (1S,1'R)-2-[1-(3',3'-dimethyl-1'-cyclohexyl)ethoxy]-2-methylpropyl propanoate, (1R,1'R)-2-[1-(3',3'-dimethyl-1'-cyclohexyl)ethoxy]-2-methylpropyl propanoate and 2-methyl-2-{[(1R,2R)-2,6,6-trimethylcycloheptyl]oxy}propyl propanoate;
- dimethyl disulphide;
- n-hexane;
- amides, C18-unsatd., N-[3-(dimethylamine)propyl];
- dapsone; and
- 6,6'-di-tert-butyl-2,2'-methylenedi-p-cresol.

Further Information:

- New website

- Substance evaluation conclusions

Echa assesses impact of REACH and CLP on sustainability strategies

5 October 2017 / Classification, labelling and packaging Regulation, Europe, REACH

A study commissioned by Echa has found that legislation like REACH and CLP has only an indirect link to businesses' sustainability strategies.

However, the two pieces of legislation can also be considered to play a critical role in creating and stimulating incentives for companies to be "sustainability leaders rather than laggards", the study says.

Nineteen companies participated in discussions with the agency for the study. Overall the message was that sustainability is of increasing importance, but market demands and investors have a more direct impact on the development of such strategies.

Chemicals management is considered very important and can form a baseline for sustainability activity, the study says. Yet for those companies that are solely focused on continuing to be compliant with all relevant regulation, "sustainability is not a focus".

However, the candidate list of SVHCs is a major driver of innovation and substitution to less hazardous substances. In particular, it impacts market demand and is being used as a measure for investors to benchmark a company's sustainability performance, the study says.

It makes a series of recommendations. One recommendation is that the agency should encouraging companies to integrate good chemicals management into their corporate sustainable strategies, for example by working with industry to develop reporting tools and benchmarks.

Echa said it will soon discuss the findings with industry, NGOs and other stakeholders.

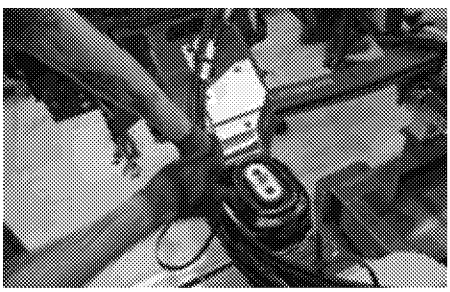
Further Information:

- Echa report

European automotive group develops list of absent SVHC 'unique identifiers'

Acea says missing Cas numbers a problem for all sectors

5 October 2017 / Aerospace, automotive & engineering, Europe, REACH, SVHCs



The European Automotive Industries Association (Acea) has developed a list of unique substance identifiers missing from the REACH candidate list.

Acea says that there is a growing number of substances of very high concern (SVHCs) entering the REACH candidate list without these, such as a Chemical Abstract Service (Cas) or European Community (EC) number. This, it says, is making it difficult for the automotive industry to meet its communication and notification obligations, such as those under Article 33 (see box).

Candidate list entries without unique identifiers have come under group entries, where more than one substance is covered. Acea's list contains 385 substances with Cas numbers for the 171 candidate list entries.

Project lead Stefan Riewer, head of chemical analysis at Ford Europe, told Chemical Watch that "depending on the chain length, a number of chemicals could fall under a category of candidate list substances."

"Echa says that candidate list entries are not exhaustive for Article 33 communication, therefore there is no legal certainty that if we were to only focus on those Cas numbers on the list, it could be that others are also in scope," says Mr Riewer.

"Echa says that candidate list entries are not exhaustive for Article 33 communication, therefore there is no legal certainty that if we were to only focus on those Cas numbers on the list, it could be that others are also in scope," he adds.

Speaking on behalf of Acea, Timo Unger, Hyundai's environmental affairs manager, says that "this is an uncomfortable situation for many sectors because most only search for Cas numbers that are officially on Echa's candidate list."

Keeping track of substances on the list is a challenge by itself, says Mr Unger, but now "companies are being told that they have to be aware of substances that come under scope but aren't on the list."

Acea's list is made available on its website and the trade body is encouraging others to add to it "as it is non-exhaustive". It plans to offer the list to Echa for official use.

Numerical identifiers 'not mandatory'

In a statement to Chemical Watch, Echa says it fully understands why the use of unique identifiers in the candidate list would be beneficial.

The agency, it continues, makes every effort to ensure that the information it provides on the substance group is sufficiently clear. It does this to "enable users of chemicals to determine whether their substance falls within the definition of that group".

"Echa would like to highlight that numerical identifiers are not mandatory for the identification of substances under REACH and that they need only be provided if they are available or appropriate."

It is important to note, the statement says, that substances without a Cas and EC number covered by these candidate list entries can "exhibit the same property/properties, hence the same concern exists".

It added that if Acea offers this list for official Echa use, any new numbers proposed to be associated with particular entries "would have to be considered on a case-by-case basis".

Acea raised this issue in 2011 and two years later, the trade body wrote to Echa calling for all chemicals listed as SVHCs or nanomaterials under REACH to be given unique substance identifiers.

REACH Article 33

Article 33 of REACH requires manufacturers to respond to a consumer's request for information on whether a product contains any SVHCs above a concentration of 0.1%. They must provide the information free of charge and within 45 days.

Leigh Stringer

Global Business Editor

Related Articles

- Automotive industry wants SVHC unique identifiers

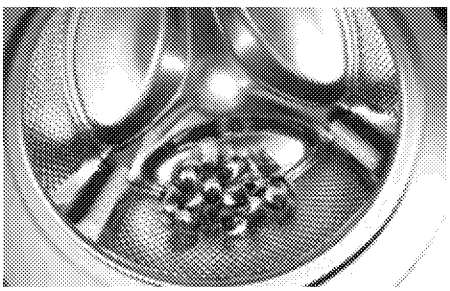
Further Information:

- Acea's list (downloadable pdf)

Laundry whitening agents: Canada finds low risk

Fluorescent brighteners 28 (disodium salt) and FWA-1 assessed

5 October 2017 / Canada, Cleaning products, Environmental Protection Act, Risk assessment



Two substances used in laundry and dishwasher detergents to make materials appear whiter are not a risk to human health or the environment, a provisional conclusion of the Canadian government has found.

The government identified the two substances – known commercially as C.I. Fluorescent Brightener 28 (disodium salt) and Fluorescent Brightener FWA-1 – as priorities for assessment under its Chemicals Management Plan. But the assessment team concluded in their draft that neither met the criteria set out in section 64 of the Canadian Environmental Protection Act, 1999 (Cepa).

The substances are known as:

- optical brighteners;
- optical brightening agents;

- fluorescent brightening agents; or
- fluorescent whitening agents.

They work via a two step process. First, they absorb light in the ultraviolet and violet region of the electromagnetic spectrum, which energises the molecules. Second, the energised molecules relax and release energy as light, but in a different part of the spectrum, specifically the blue region. Overall, this makes materials appear whiter.

The assessment team used the government's ERC approach to assess the environmental risks. This is based on weighting a set of metrics, including:

- mode of toxic action;
- chemical reactivity;
- food web derived internal toxicity thresholds;
- bioavailability;
- chemical and biological activity;
- potential emission rate;
- overall persistence; and
- long-range transport potential.

They found that the risk to the environment was moderate for C.I. Fluorescent Brightener 28 (disodium salt) and low for Fluorescent Brightener FWA-1'.

For the effects on human health, the team used a 2005 OECD assessment, which found that both substances had low hazard profiles based on data for repeated-dose toxicity, genotoxicity and carcinogenicity. There was no data for reproductive or developmental toxicity, the team said. But studies conducted with a structurally similar chemical – C.I. Fluorescent Brightener 220 – suggested that the two target substances would not have adverse effects.

In another draft assessment of the same type, the Canadian government cleared naturally occurring fragrance ingredients eugenol and rosa canina, also known as dog rose. Eugenol is used in personal care, cleaning, air care and food products; rosa canina in cosmetics and 'natural health' products.

The government has launched 60-day public consultations for both assessments. Interested parties have until 29 November to submit comments.

The final versions are expected in September 2018.

Further Information:

- Stilbenes report
- Eugenol and isoeugenol derivatives Group

Canada poised to publish proposal on confidential business disclosure

Labour request to remove hazards from CBI protection won't be addressed until the end of 2018

5 October 2017 / Canada, Confidentiality & right-to-know, GHS, Labelling, Safety data sheets

Government agency Health Canada has announced plans to back industry-supported changes on disclosure of ingredient concentrations before fully implementing the updated Workplace Hazardous Materials Information System (WHMIS 2015).

However, it will wait until after the the changes kick in before addressing labour organisations' demands. Labour organisations had wanted the government to consider them during the implementation delay announced in June.

Health Canada had already delayed its deadline for new manufacturer and importer safety data sheets (SDS) and labels to 1 June 2018 and the deadline for distributors to 1 September. It has left the employer deadline at 1 December.

Speaking at the Society for Chemical Hazard Communication (SCHC) conference in Arlington, Va., Rosslynn Miller-Lee, Director of Health Canada's Workplace Hazardous Materials Bureau, made it clear that the agency did not plan on letting the deadlines shift further. "This miracle will not happen again," she said

The agency plans to propose an amendment to the Hazardous Products Regulations (HPR) that would allow manufacturers to report a broad range, instead of a specific concentration, of an ingredient if the concentration can be defended as confidential business information (CBI), Ms Miller-Lee said. The proposed schedule of concentration ranges will be published for public comment.

A review process for CBI claims

The Hazardous Materials Information Review Act (HMIRA) sets out a review process for CBI claims. But because the previous labelling rules allowed manufacturers to avoid specifying chemical concentrations, they used that flexibility to protect the information, avoiding the application process and associated fee, Ms Miller-Lee said.

With the new rules on the horizon, CBI claims went from 423 in 2015-16 to 1,312 in 2016-17. Another 707 have been submitted since April. However, submissions essentially ceased after the delay was announced in June.

Ms Miller-Lee said the pending change will not allow manufacturers to continue avoiding the CBI process. "In order to protect concentration ranges you must use the CBI protection mechanism. This discussion is about concentration, not identity".

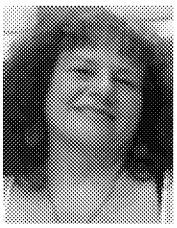
Labour concerns

Ms Miller-Lee said the agency will wait until after implementation to address labour group demands that manufacturers should not be allowed to avoid disclosing the presence of carginogens, mutagens, reproductive toxicants and respiratory sensitisers. They also want the labelling rules to apply to some consumer products.

The first change would require a legislative amendment to HMIRA. Applying labelling to consumer products would require a regulatory amendment.

"The concern is that workers could be exposed to consumer products in a different way and SDS are not provided," Ms Miller-Lee said.

"We are at the beginning of this conversation, so I can't say much. What I can say for sure is that no changes will be made to the regulations until we complete the transition period," she said. "We want to be sure everyone knows how to comply with the regulations as they are before we start changing them."



Julie A Miller

North American Desk Editor

Related Articles

- Canada delays GHS to consider CBI change

New Zealand labelling, SDS changes issued for December enactment

Hazardous substances rules to be more in line with the fifth revision of the GHS

5 October 2017 / Classification, GHS, Labelling, New Zealand, Safety data sheets

New Zealand's EPA has published all ten of its planned Notices dealing with the management of hazardous substances. Overall, they consolidate existing chemical regulations.

However, there are a number of significant changes. These include updates to labelling and safety data sheet (SDS) rules so they are more in line with the country's main trading partners and with the fifth revision of the GHS.

The Notices come into force on 1 December. However, companies will then be given time to adapt.

Companies must comply with labelling and SDS changes from 1 December 2021, where substances are covered by group standards.

Where they have individual approvals, labelling and GHS can remain as is until this is legally reissued. There will then be between two and four years to comply. All individual approvals issued after 1 December must follow the new GHS and labelling requirements immediately.

Labelling, SDS and packaging changes

Overall the changes are to bring labelling and SDS more in line with the fifth revision of the GHS. Labelling using these elements will be mandatory.

GHS-compliant SDSs and labels from Canada, Europe, Australia or the US can be used in New Zealand, so long as they contain information specific to New Zealand.

GHS-compliant SDSs and labels from Canada, Europe, Australia or the US can be used in New Zealand, so long as they contain information specific to New Zealand. However, they must record the country and legal instrument being relied upon and keep records for at least two years after the substance is no longer available.

The New Zealand Health and Safety Hazardous Substances and New Organisms Act (HSNO), or GHS classification can be the reference in the SDS. However, a "correlation table" to relate the two must also be included. The HSNO approval number must still be listed in section 15 of the SDS.

Additionally, the EPA Notice on packaging now specifies that dangerous goods packaging must comply with the requirements of the UN Model Regulations and be type-tested and certified by the relevant national authority. For packaging made in New Zealand, this means by an accredited testing laboratory.

More on this on CW+AsiaHub

Sunny Lee

Asia editor

Related Articles

- New Zealand SDS, labelling rules expected December

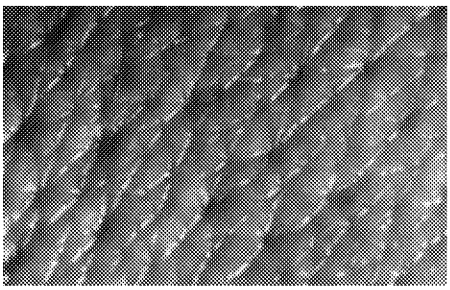
Further Information:

- EPA reforms page
- UN Model Regulations

UK funding for key in vitro validation challenge

XCellR8 and Cutest will work human data for skin irritation

5 October 2017 / Personal care, Test methods, United Kingdom



The UK government is funding a new project aimed at one of the key challenges in the validation of new in *vitro methods*: access to human data.

UK contract testing labs XCellR8 and Cutest are working together to refine existing skin irritation test methods. With funding from Innovate UK, XCellR8 will work on *in vitro* skin irritation methods while Cutest will test reference chemicals on human volunteers.

In vitro methods tend to be validated using historical animal data. However, XCellR8 clients have often been frustrated by the "unreliability of existing animal test data and its lack of relevance for humans", said Carol Treasure, co-founder and managing director.

In the past, the company has tried unsuccessfully to compare in vitro test data with human results published in scientific literature. "You need to be able to decide from the beginning that you are doing studies both *in vitro* and *in vivo* human to make sure that you can cross-reference at the end," she says.

In 2016, XCellR8 was awarded a Horizon 2020 grant to help commercialise and validate a new *in vitro* test for acute toxicity. The test uses human cells and is viewed as a replacement for the rat LD50 and related tests.

Dr Treasure would ultimately like to use the new skin irritation data to help develop the acute toxicity tests.

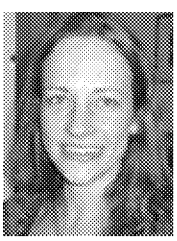
"We are never going to be in a position as a scientific community where we have access to good quality human acute toxicity data," she said.

"So it's very difficult to develop a new in vitro test because how do you make a prediction model to know whether it will be a good representation of humans?"

The early stages of acute toxicity involve cell damage and have some mechanisms in common with skin irritation. Dr Treasure hopes to take some of the skin irritation results and use them for "endpoint to endpoint read across" to see if it's possible to validate the acute toxicity assay in a similar way.

"Something has got to shift because we have got this block at the moment with acute toxicity. It's the only human health endpoint of REACH that doesn't have an *in vitro* option."

A longer version of this story is available on *Chemical Risk Manager*.



Dr Emma Davies

Reporter

Related Articles

- UK lab wins EU funding for acute dermal toxicity test
- UK funding for firms validating new skin tests with human data

Further Information:

- Press release

US agencies weighing greater GHS harmonisation

Global classification list also under consideration

5 October 2017 / GHS, United States

The US Occupational Safety and Health Administration and EPA are both studying regulatory amendments to better align US rules with the Globally Harmonised System (GHS) and Canada's Workplace Hazardous Materials Information System (WHMIS 2015), officials said at a recent Society for Chemical Hazard Communication (SCHC) conference.

But they also acknowledged at the conference in Arlington that the Trump administration may not move forward.

Osha last updated its hazard communication standard (HCS) in 2012, aligning it with an older version of the GHS. Maureen Ruskin, director of the Office of Chemical Hazards-Metals, said the agency is working on a proposal to update the HCS with the intent of improving alignment with GHS and WHMIS.

Variations between the two countries' approaches are not great and it should be possible for manufacturers to meet both sets of requirements with one label, Ms Ruskin said.

Under Osha's rules, a manufacturer can claim "trade secret" protection for the exact concentration of an ingredient. Harmonising this rule with changes underway in Canada's CBI regulations is "something we could discuss in our future rulemaking", she said.

She noted that the Trump administration has not named a political appointee to head her branch of Osha, who will have to review any rulemaking. "I don't know when we will have a proposal ready for you," Ms Ruskin told the conference.

Workplace safety is Osha's domain, but the EPA was given specific responsibility for regulating pesticides by the Federal Insecticide, Fungicide, and Rodenticide Act (Fifra).

The EPA considered harmonising its pesticide regulations with GHS in 2006, but refrained in the face of stakeholder opposition. However, the agency is looking at such harmonisation again in the context of an initiative that is weighing approval of alternatives to animal testing, Kaitlin Keller, an environmental protection specialist in the Office of Pesticide Programs, told the conference.

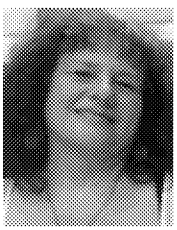
"It's been a winding road for us back to GHS," Ms Keller said.

Global classification list

Ms Ruskin and Rosslynn Miller-Lee, Director of Health Canada's Workplace Hazardous Materials Bureau, said both the US-Canada Regulatory Cooperation Council and a GHS subcommittee are discussing potential changes in how information is arranged on small labels and the feasibility of adopting a single set of prescribed pictograms.

Edmund Baird, counsel for standards at the US Department of Labor, said another GHS subcommittee is weighing the feasibility of developing a global chemical classification list. Delegations from the US, Russia and Echa each studied one chemical and gave presentations on differing regulatory regimes. Mr Baird said the group was able to agree on classifications for each chemical but the process was very labour intensive.

"The only way this can go forward is if it is a non-binding list," he said. "GHS can't say 'if you accept GHS you accept these classifications also'".



Julie A Miller

North American Desk Editor

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Washington state requires reporting of 20 additional chemicals in children's products

Dozens of substances reviewed during amendment process

5 October 2017 / Children's products, Substance notification & inventories, United States

The Washington Department of Ecology has added 20 chemicals and deleted three others from the list of substances reportable under the state's Children's Safe Products Reporting Rule.

The department's final decision, published on 29 September, significantly expands the Chemicals of High Concern for Children (CHCC) list, which had contained 66 substances. Manufacturers must report the use of the substances in children's products, including toys, personal care products, and clothing.

The additions include 13 flame retardants, four phthalates, and two chemicals – bisphenol S and bisphenol F – often used as a replacement in hard plastic for bisphenol A (BPA), which the state banned from baby bottles, sippy cups, and sports bottles in 2010.

Three substances were removed from the list because the agency decided they do not meet the statutory criteria.

Substances added to the CHCC list include:

- bisphenol S (BPS);
- dicyclohexyl phthalate (DCHP);
- diisobutyl phthalate (DIBP);
- triphenyl phosphate (TPP);
- di(2-methoxyethyl) phthalate (DMEP);
- tris (2,3-dibromopropyl) phosphate (TDBPP);
- tri-n-butyl phosphate (TNBP);
- dipentyl phthalate (DPP);
- perfluorooctanoic acid (PFOA);
- bisphenol F (BPF);
- ethylhexyl diphenyl phosphate (EHDPP);
- tricresyl phosphate (TCP);
- tris (2chloroisopropyl) phosphate (TCPP);
- nonylphenol 4-nonylphenol (branched);
- bis (2-ethylhexyl) 2,3,4,5-tetra bromophthalate (TPBH);
- bis(chloromethyl)propane-1,3-diyl tetrakis-(2-chloroethyl) bis(phosphate);
- isopropylated triphenyl phosphate (IPTPP);
- decabromodiphenyl ethane (DBDPE);
- short-chain chlorinated paraffins; and
- 2-ethylhexyl-2,3,4,5-tetrabromobenzoate (TBB)

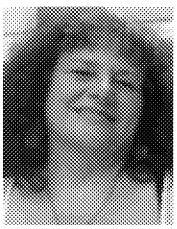
Substances removed from the list are:

- phthalic anhydride;
- octamethylcyclotetrasiloxane (D4); and
- molybdenum.

The state published its initial proposal in March, following a stakeholder consultation that began in August 2016. Several dozen substances were considered for removal or addition during the process. The department received input from 13 organisations and 249 individuals during the comment period that ended on 12 May.

After considering the comments, the state agency:

- agreed to add DMEP to the CHCC list but refused NGOs' request to add the phthalates DIPP and DIOP, concluding that they had not produced sufficient evidence of potential exposure;
- found that a request to add chemicals that degrade into PFOA is "outside the scope of this rulemaking," but amended the listing for PFOA to add the phrase "and related chemicals";
- refused to keep D4 on the CHCC list because "mixed results" on reproductive toxicity were insufficient;
- refused an NGO request to add dechlorane plus because "available toxicity data are limited" and inconclusive; and
- removed the flame retardants tris(4-tertbutyl phenyl) phosphate and butylated triphenyl phosphate from consideration after industry representatives offered additional evidence regarding toxicity and indicating that they are used only in mixtures that are already listed.



Julie A Miller

North American Desk Editor

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Further Information:

- Links to final regulation and supporting documents
- Database of reports filed under the law

Democrats attack Dourson's chemical industry ties at EPA nomination hearing

Nominee refuses demands to recuse himself

5 October 2017 / TSCA, United States

Democrats have attacked toxicologist Michael Dourson's work for chemical industry clients with emotion and vitriol, at a 4 October hearing on his nomination to lead the US EPA's Office of Chemical Safety and Pollution Prevention.

"You have been the defendants' chemical lawyer who now becomes the judge over the bogus science you have been propounding," said Senator Edward Markey (D-Massachusetts). "You are not just an outlier, you are outrageous in how far from the mainstream of chemistry you really are."

Senator Cory Booker (D-New Jersey) called Dr Dourson a "corporate lackey", pointing dramatically to the visitor seats opponents had filled with people affected by exposure to chemicals the nominee had worked on during his career. "These people behind you view your nomination with trepidation and fear."

However, Senator John Barrasso (R-Wyoming), chairman of the Environment and Public Works Committee, quoted toxicology professionals who described Dr Dourson as "highly qualified" and "a leader in the field of risk assessment".

Once the committee approves the nomination, which it is expected to do on a party-line vote, Democrats would have to persuade three Republicans to vote against Dr Dourson on the Senate floor to block confirmation.

After he left an EPA staff position in 1994, Dr Dourson began a non-profit consulting firm, Toxicology Excellence for Risk Assessment (Tera). The consultancy became the Risk Science Center at the University of Cincinnati, in Ohio, where he is a professor.

Environmental groups have campaigned against his nomination, since it was announced in July.

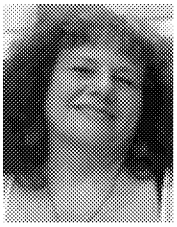
Recusal demanded

Democrats repeatedly asked Dr Dourson to recuse himself from EPA determinations on specific chemicals he had been paid to review, and from work on flame retardants. He held a position on the North American Flame Retardant Association (Nafra) advisory board until June. Dr Dourson said he would rely on guidance from EPA ethics officials.

Dr Dourson mostly avoided defending specific studies or taking a position on appropriate exposure levels, as Democrats asked about dioxane, trichloroethylene (TCE), perchlorate and the pesticide chlorpyrifos, among others.

"I have been objective in my work and applied sound science to come to my conclusions," he said.

And when Democrats asked for commitments that he would not seek to weaken EPA standards for dioxane, TCE and other chemicals, Dr Dourson said: "We'll bring the best science forward. We'll be transparent. We will be collaborative. I commit to that."



Julie A Miller

North American Desk Editor

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